

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS

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IN RE: ) CHAPTER 13  
          ) CASE NO. 19-12291-JEB  
MARIO TRAVASCIO, JR., )  
          )  
          Debtor )  
          )  
\_\_\_\_\_)

**MOTION AND APPLICATION OF DEBTOR TO  
EMPLOY LAER REALTY PARTNERS AS REAL ESTATE BROKER**

To the Honorable Janet E. Bostwick, U.S. Bankruptcy Judge:

Now comes the Debtor, Mario Travascio, Jr. (hereinafter “Debtor”), by and through his Attorney, Cynthia R. Ravosa, (hereinafter “Attorney”) pursuant to Fed. R. Bankr. P. 2014(a) and MLBR 2014-1(a) and hereby makes application to this Court for an Order authorizing the employment of LAER Realty Partners to act as a real estate broker for the Debtor with respect to 75 Stetson Avenue, Swampscott, Massachusetts (the “Property”). In support thereof, the Attorney for the Debtor respectfully submits the following:

1. On July 1, 2019, the Debtor commenced this case by filing a Voluntary Petition under Chapter 13 of the United States Bankruptcy Code.
2. The property of the bankruptcy estate includes the Debtor’s interest in the Property. The Debtor is the record owner of the Property.
3. The Property is the subject of an ongoing adversary proceeding, *Travascio v. U.S. Bank, N.A., as Trustee*, 19-01146, Bankr. D. Mass. with regard to a purported foreclosure of the Property.
4. The Parties to said adversary proceeding have agreed to let the Debtor market the property for sale as a potential means of resolving the dispute.
5. The Debtor’s Chapter 13 Plan, not yet confirmed, includes a provision to sell the Property at

fair market value.

6. The Debtor hereby applies for authority to employ LAER Realty Partners, a full-service real estate firm, to render the following services in accordance with the terms listed below:
  - a. Sell the Debtor's Property located at 75 Stetson Avenue, Swampscott, Massachusetts, for a commission, subject to approval of this Court, of 5.0% (five percent) of the selling price to realtor and up to 2.0% (two percent) to the Buyer's Agent if applicable, if the Court approves a sale of the Property to the purchaser obtained by realtor (so long as such sale actually closes) and on such other terms and conditions as this Honorable Court deems fair and equitable;
  - b. Said real estate firm, LAER Realty Partners, and its agents, if permitted to sell said Property, agree to comply with all Orders of this Court, including all applicable laws, rules, and regulations attendant to said employment.
7. To the best of the Debtor's knowledge, information, and belief, Broker and its agents and/or members, represent no interest adverse to the Debtor's estate in the matters for which it is to be retained.

WHEREFORE, the Debtor respectfully requests that this Court enter an Order:

- i. authorizing the employment of LAER Realty Partners in accordance with the terms and conditions set forth above; and
- ii. granting such other and further relief as it deems just and proper.

Respectfully submitted,  
The Debtor,

Mario Travascio, Jr.

By his attorney,

/s/ Cynthia R. Ravosa

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Dated: March 11, 2021

CERTIFICATE OF SERVICE

I, Cynthia R. Ravosa, Esq., counsel for the Debtor, Mario Travascio, Jr., hereby certify that on this 11<sup>th</sup> day of March, 2021, served the foregoing *Application to Employ, Affidavit, Declaration, and Exhibit* by causing a true copy thereof to be delivered as follows:

**19-12291 Notice will be electronically mailed to:**

Carolyn Bankowski-13-12  
[13trustee@ch13boston.com](mailto:13trustee@ch13boston.com)

John Fitzgerald  
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[massachusettsbankruptcycenter@gmail.com](mailto:massachusettsbankruptcycenter@gmail.com), [G63887@notify.cincompass.com](mailto:G63887@notify.cincompass.com)

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Michael E. Swain on behalf of Defendant SN Servicing Corporation  
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Michael E. Swain on behalf of Defendant U.S. Bank Trust, National Association, as Trustee of the Tiki Series III Trust  
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**Notice was mailed via First Class Mail postage pre-paid to:**

U.S. Bank Trust as Trustee of the Tiki Seriec/0 SN Servicing Corp323 5th StreetEureka, CA 95501-0305

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Harmon Law Offices. P.C. 150 California StNewton, MA 02458-1068  
Merrick Bank 10705 S Jordan Gtwy Ste 200South Jordan, UT 84095-3977  
SN Servicing Corporation 13702 Coursey Blvd Ste 1ABaton Rouge, LA 70817-1370  
SYNCB/JC Penny 170 W Election Rd Ste 125Draper, UT 84020-6425  
Salem Five Cents Savings 71 Washington StSalem, MA 01970-3505  
Town of Swampscott 22 Monument AveSwampscott, MA 01907-1977  
U.S. Bank, N.A. 425 Walnut StCincinnati, OH 45202-3930

Dated: March 11, 2021

/s/ Cynthia R. Ravosa  
CYNTHIA. RAVOSA